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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,237	03/15/2001	Hideo Ando	204591US-2S	6630

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EXAMINER

NGUYEN, HUY THANH

ART UNIT PAPER NUMBER

2615

DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/808,237

Applicant(s)

ANDO ET AL.

Examiner

HUY T NGUYEN

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 14-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 09/482,085.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 14-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawamura et al (5,621,840).

Regarding claim 14, Kawamura discloses a processing apparatus (Fig. 17) using with an information medium comprising :

an encoder (1,2) configured to encode one or more input signals to provide corresponding encoded data;

a formatter (3,7) configured to format the encoded data into a bit stream of data packets; and

a recorder section (10) configured to record the bit stream in a data area of the information medium (Figs. 9,17).

Regarding claim 15, Kawamura further teaches the formatter generates management information, and the recorder section records the generated management information in a management area of the information medium (Fig. 19).

Regarding claim 16, Kawamura further teaches the management area of the information medium is configured to store packet length information, the packet length information indicates the size of the data packets (Fig. 19).

Regarding claim 17, Kawamura teaches a processing apparatus (Fig. 18) coupled to a decoder (25,26) and using a recordable information medium having a data area and a management area (Figs. 9 and 19), wherein a bit stream including information of one or more encoded signals is recorded in a form of data packets in the data area of the information medium, the apparatus comprising:

a reproducer section (10) configured to reproduce the bit stream from the data area of said information medium; and

a transfer section (21) configured to transfer the data packets in the reproduced bit stream from the reproducer section to a decoder box in which the data packets including the information of one or more encoded signals are decoded.

Regarding claim 18, Kawamura further teaches the management area of said information medium is configured to store packet length information, the packet length information indicates the size of the data packets (Figs. 9,19).

3. Claims 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Kikuchi et al (6,134,383).

Regarding claim 14, Kikuchi discloses a processing apparatus (Fig. 50) use with an information medium comprising :

an encoder (206,207,208) configured to encode one or more input signals to provide corresponding encoded data;

a formatter (214) configured to format the encoded data into a bit stream of data packets; and

a recorder section configured to record the bit stream in a data area of the information medium (216) (Figs. 25,26 and 36).

Regarding claim 15, Kikuchi further teaches the formatter generates management information, and the recorder section records the generated management information in a management area of the information medium (Figs. 25,26 and 36)

Regarding claim 16, Kikuchi further teaches the management area of said information medium is configured to store packet length information, the packet length information indicates the size of the data packets (Figs. 25,26 and 36).

Regarding claim 17, Kikuchi teaches a processing apparatus (Fig. 1) coupled to a decoder and using a recordable information medium having a data area and a

management area (Figs. 25-26,36), wherein a bit stream including information of one or more encoded signals is recorded in a form of data packets in the data area of the information medium, the apparatus comprising:

a reproducer section configured to reproduce the bit stream from the data area of said information medium; and

a transfer section configured to transfer the data packets in the reproduced bit stream from the reproducer section to a decoder box in which the data packets including the information of one or more encoded signals are decoded.

Regarding claim 18, Kikuchi further teaches the management area of said information medium is configured to store packet length information, the packet length information indicates the size of the data packets (Figs. 25,26 and 36).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T NGUYEN whose telephone number is (703) 305-4775. The examiner can normally be reached on 8:30AM -6:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TECH CENTER 2600 customer service office whose telephone number is (703) 306-0377.

Application/Control Number: 09/808,237  
Art Unit: 2615

Page 6

H.N  
November 17, 2002

  
H.N. NGUYEN  
PRIMARY EXAMINER